

REMARKS

This responds to the Office Action dated September 26, 2008.

Claims 1-3, 5, 44 and 51 are amended, no claims are canceled, and no claims are added; as a result, claims 1-3, 5-7, 21- 26 and 43-60 are now pending in this application.

§102 Rejection of the Claims

Claims 1-3, 5-7, 23-24, 43-47, 57 and 55-60 were rejected under 35 U.S.C. § 102(b) for anticipation by Cross et al. (U.S. Patent No. 5,935,159).

Currently amended independent claims 1, 44 and 51 recite, among other things, “the recesses include compression features and each define a substantially free space, such that when the lead body is moved or manipulated, the at least one filler compresses at least partially into the substantially free space”. Such features are not found in the Cross reference. Cross describes a core structure (102 of Fig. 2) that lacks compression features and includes grooves for the purpose of securely holding insulated conductors (Cross at col. 2, lines 33-48).

Further, currently amended independent claim 1 recites, among other things, “at least one filler disposed within the hollow, the filler defining a plurality of recesses in contact with the material defining the interior lumen”. Cross does not describe such positioning of recesses. Further, the Examiner points to Fig. 2, elements 10 & 100 (Office Action at page 2), as pointing to an interior lumen. Fig. 2 of Cross does not include element numbers 10 & 100, nor any feature resembling an interior lumen. Applicant requests clarification, as it does not appear that the Cross reference discloses such a feature. In addition, the grooves of Cross are positioned outwardly from the center of the lead and not “in contact with the material defining the interior lumen”.

As the Cross reference does not disclose all the features of the present independent claims, it is respectfully requested that the novelty rejection be removed. It is believed the dependent claims are similarly in allowable condition.

§103 Rejection of the Claims

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cross et al. (U.S. Patent No. 5,935,159).

Applicant respectfully requests withdrawal of this rejection on the grounds discussed above, because the reference cited (Cross) does not include all the features of independent claim 1, on which claim 21 depends.

Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cross et al. (U.S. Patent No. 5,935,159).

Applicant respectfully requests withdrawal of this rejection on the grounds discussed above, because the reference cited (Cross) does not include all the features of independent claim 1, on which claim 25 depends.

Claims 49-50 and 53-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cross et al. (U.S. Patent No. 5,935,159).

Applicant respectfully requests withdrawal of this rejection on the grounds discussed above, because the reference cited (Cross) does not include all the features of independent claims 44 and 51, on which claims 49-50 and 53-54 depend.

Claims 26 and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cross et al. (U.S. Patent No. 5,935,159) in view of Dahl et al. (U.S. Patent No. 5,366,496).

Applicant respectfully requests withdrawal of this rejection on the grounds discussed above, because neither the Dahl reference nor the accompanying reasoning in the Office Action remedy the deficiencies in the Cross reference discussed above. The Cross does not include all the features of independent claims 1 and 44, on which claims 26 and 48 depend.

CONCLUSION

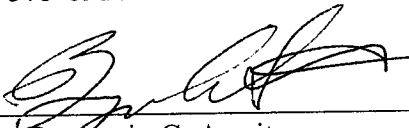
Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6920 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 1/23/09

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 23, 2009.

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